

**RESOLUTION NO. 20120614-029**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire certain real property interests for public purposes as set out below; and

**WHEREAS**, the City of Austin has attempted to purchase those needed real property interests but has been unable to agree with the owners on the value of the property interest, or the damages, if any; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interests necessary to the City, described and located below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

**BE IT FURTHER RESOLVED:**

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: Mesa Metro, LLC

Project: Spicewood Springs Pump Station Utility Improvements Project

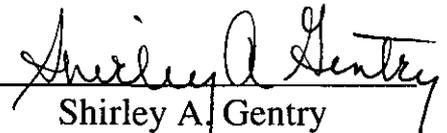
Public Use: The permanent water line easement described in the attached Exhibit "A" is necessary for the purpose of installing, laying, constructing, maintaining, inspecting, repairing, removing, replacing, renewing, using and operating water lines, together with all facilities, connectors and appurtenances.

Location: 8127 Mesa Drive  
Austin, Travis County, Texas 78759  
The general route covered by this project will include the following areas: Spicewood Springs Pump Station site, extending from the western boundary of the site to Mesa Drive; Myrick Drive at Mesa Drive intersection; 4210/4212 Greystone Drive; Far West Boulevard from Mesa Drive to Montana Norte; and the Northwest Hills area.

Property: Described in the attached and incorporated Exhibit A.

ADOPTED: June 14, 2012

ATTEST:

  
Shirley A. Gentry  
City Clerk



**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

EXHIBIT "  A  "

(WATERLINE EASEMENT)  
MESA METRO, LLC,  
TO  
CITY OF AUSTIN

**DESCRIPTION FOR PARCEL 4717.02WE**

LEGAL DESCRIPTION OF A 0.120 ACRE (5,241 SQUARE FOOT) TRACT OF LAND, BEING A PORTION OF LOT 3, SPICEWOOD OFFICE PARK, A SUBDIVISION OF RECORD IN VOLUME 78, PAGE 182 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, DESCRIBED IN A GENERAL WARRANTY DEED TO MESA METRO, LLC, DATED OCTOBER 31, 2011, AND RECORDED IN DOCUMENT NO. 2011159192 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.120 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 3/4" iron pipe in concrete found at the east corner of Lot 2-A, Resub. H.S.R. Sub. II, a subdivision of record in Volume 67, Page 70 of the Plat Records of Travis County, Texas, same being a corner in the southwest line of said Lot 3, for the north corner and **POINT OF BEGINNING** of this tract, having Texas State Plane Grid Coordinate (Central Zone, NAD83(93), U.S. Survey Feet,) values of N=10,108,529.04, E=3,109,221.85;

**THENCE** South 61°28'58" East, over and across said Lot 3, a distance of 148.71 feet to a 60D nail set in the northwest line of a 5.17 acre tract described in Volume 1846, Page 200 of the Deed Records of Travis County, Texas, same being the southeast line of said Lot 3, for the east corner of this tract, from which a mag nail in concrete found at the west corner of Lot 1, H.S.R. Subdivision, of record in Volume 64, Page 77 of the Plat Records of Travis County, Texas, same being the north corner of said 5.17 acre tract, and an angle point in the southeast line of said Lot 3, bears North 25°02'37" East, a distance of 340.01 feet;

**THENCE** South 25°02'37" West, with the northwest line of said 5.17 acre tract and the southeast line of said Lot 3, a distance of 35.06 feet to a 60D nail set for the south corner of this tract, from which a 3/4" iron pipe found in the southwest line of said Lot 3, at the east corner of Lot 4, same being the north corner of Lot 5, both of said Spicewood Office Park, bears South 25°02'37" West, a distance of 22.96 feet, and North 61°32'23" West, a distance of 24.96 feet;

**THENCE** North 61°28'58" West, over and across said Lot 3, a distance of 150.79 feet to a 60D nail set in the southeast line of said Lot 2-A, same being the southwest line of said Lot 3, for the west corner of this tract, from which a 3/4" iron pipe found in the southeast line of said Lot 2-A, at the north corner of said Lot 4, same being a corner in the southwest line of said Lot 3, bears South 28°26'03" West, a distance of 23.07 feet;

THENCE North 28°26'03" East, with the southeast line of said Lot 2-A and the southwest line of said Lot 3, a distance of 35.00 feet to the **POINT OF BEGINNING**, containing 0.120 acre (5,241 square feet) of land.

**BEARING BASIS NOTE**

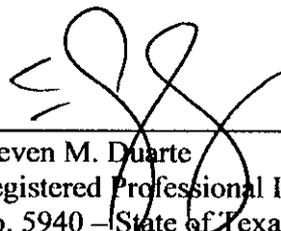
Date of Survey: May 9th, 2011. The bearings shown hereon are based on the Texas State Plane Coordinate System (Central Zone, NAD83(93), Combined Scale Factor = 0.999904). The coordinates were established from reference station "H-31-3001" having grid coordinate values of N=10,108,545.463, E=3,108,591.754. All distances shown are surface distances.

**THE STATE OF TEXAS** §  
§ **KNOW ALL MEN BY THESE PRESENTS:**  
**COUNTY OF TRAVIS** §

That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 21st day of November, 2011, A.D.

Macias & Associates, L.P.  
5410 South 1<sup>st</sup> Street  
Austin, Texas 78745  
512-442-7875

  
11/21/11  
Steven M. Duarte  
Registered Professional Land Surveyor  
No. 5940 - State of Texas

**REFERENCES**  
MAPSCO 2009, 494Z  
AUSTIN GRID NO. H-31  
TCAD PARCEL ID NO. 01-4401-0222  
MACIAS & ASSOCIATES, L.P.



FIELD NOTES REVIEWED

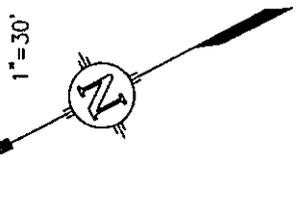
By:  Date 11/22/11

Engineering Support Section  
Department of Public Works  
and Transportation

**BEARING BASIS:**

THE BEARINGS SHOWN HEREON ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM (CENTRAL ZONE, NAD83(93), COMBINED SCALE FACTOR = 0.999904). THE COORDINATES WERE ESTABLISHED FROM REFERENCE STATION "H-31-3001" HAVING GRID COORDINATE VALUES OF N=10,108,545.463, E=3,108,591.754. ALL DISTANCES SHOWN ARE SURFACE DISTANCES.

**SKETCH TO ACCOMPANY  
LEGAL DESCRIPTION**



MAG MAIL IN CONC.

MESA METRO, LLC,  
DOC. NO. 2011159192  
O.P.R.T.C.Tx.  
I.C.A.D.  
01-4401-02-22

LOT 3

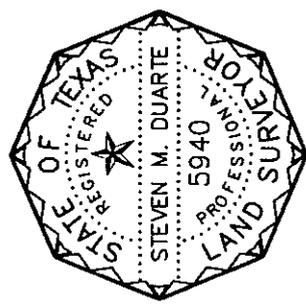
P.O.B.  
N=10,108,529.04  
E=3,109,221.85  
GRID

7.5' P.U.E.  
(PER PLAT)  
N61°28'58"W 149.83'  
(N59°03'W 150.00')

RESUB. H.S.R. SUB. II  
VOL. 67, PG. 70  
P.R.T.C.Tx.

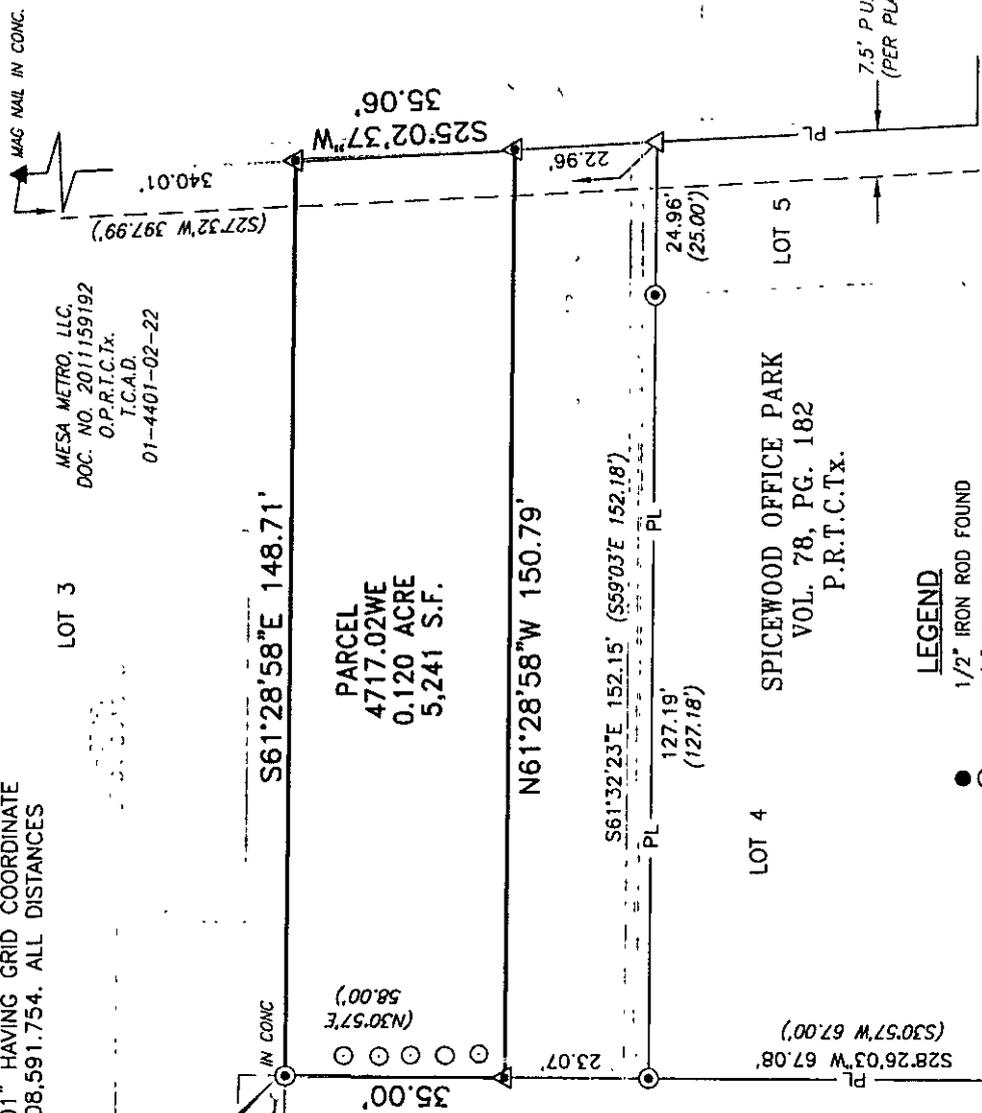
LOT 2-A

ROBERT U. MAYFIELD ET UX.  
VOL. 13216, PG. 3926  
R.P.R.T.C.Tx.



*[Signature]*  
Steven M. Duarte  
Registered Professional Land Surveyor  
No. 5940 - State of Texas

11/21/11  
Date:



CITY OF AUSTIN  
VOL. 1846, PG. 200  
D.R.T.C.Tx.  
(5.17 AC.)

**NOTE:**

THE EASEMENTS SHOWN OR NOTED AND ADDRESSED ON THIS SURVEY ARE THOSE LISTED ON THE TITLE COMMITMENT ISSUED BY ALLIANT NATIONAL TITLE INSURANCE COMPANY, INC., GF. NO. 201100621, EFFECTIVE DATE: MARCH 23, 2011.

**LEGEND**

- 1/2" IRON ROD FOUND
- ⊙ 3/4" IRON PIPE FOUND
- ▲ NAIL FOUND (TYPE NOTED)
- △ CALCULATED POINT
- ⊠ 60D NAIL SET
- P.R.T.C.Tx. PLAT RECORDS OF TRAVIS COUNTY
- D.R.T.C.Tx. DEED RECORDS OF TRAVIS COUNTY
- R.P.R.T.C.Tx. REAL PROPERTY RECORDS OF TRAVIS COUNTY
- P.O.B. POINT OF BEGINNING
- VOL., PG. VOLUME, PAGE
- ( ) RECORD INFORMATION
- P.U.E. PUBLIC UTILITY EASEMENT

PAGE 3 OF 3

SURVEY DATE: 05-09-11  
REVISED: 11-21-11  
DRAWN BY: smd  
MAP JOB NO.: 288-33-11  
REFERENCE: 590/121

J:\JOBS\LAN\288-33-11 Reservoir Easements\DWG\4817.02\4E.dwg

**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

★ ★ ★ ★ ★  
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AUSTIN, TEXAS 78745 PH. (512)442-7875  
FAX (512)442-7876 EMAIL: WWW.MACIASWORLD.COM